

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63610 of 2019

Arising Out of PS. Case No.-157 Year-2018 Thana- ISUAPUR District- Saran

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1. Ramita Devi, aged about 42 years, female, Wife of Awadh Bihari Maharaj
 2. Abhishek Maharaj @ Abhishek, aged about 21 years, male, Son of Awadh Bihari Maharaj
- Both resident of Village - Nawada, P.S. - Isuapur, Distt. - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harish Kumar, Adv.

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 18-10-2019 The petitioners seek bail in anticipation of their arrest in connection with Isuapur P.S. Case No. 157 of 2018, dated 14.10.2018, instituted for the offences under Sections 302, 201 and 34 of the Indian Penal Code.

The informant has alleged that his sister was married to one Krishna Murari Maharaj, which marriage was went in rough weather shortly. The marriage had taken place about 10 – 12 years ago. It has been alleged that the deceased (sister of the informant) was residing separately and not in her matrimonial home. However, when she was



informed that land belonging to her share was being sold, she had made a protest. Later, her dead-body was found to have been thrown somewhere. The informant, therefore, has suspected the hands of the petitioners and others.

The learned counsel for the petitioners has raised many grounds for grant of anticipatory bail. He has submitted that the husband and the father of petitioner Nos. 1 and 2 respectively has been granted regular bail by this Court *vide* order dated 20.05.2019 passed in Cr. Misc. No. 16092 of 2019. Apart from this, he has submitted that the petitioners have not been saddled with any specific accusation.

The petitioners are mother and son respectively.

It has been canvassed by the learned counsel for the petitioners that the deceased, for a long time, had not been residing in the house in which the petitioners resided. A case under Section 498A I.P.C. was pending adjudication before a competent Court of law against the husband of the deceased and her other family members. Because of the disturbed matrimonial relationship between the deceased and



her husband, the informant has chosen to implicate the petitioners also in this case.

Considering the aforestated facts, viz., petitioner No. 1 being a lady and the petitioner No. 2, a person of young age and there being no positive accusation against them, the petitioner Nos. 1 and 2, viz., Ramita Devi and Abhishek Maharaj @ Abhishek, in the event of their arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of the present order, are directed to be released on bail on their furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Chapra, Saran in connection with Isuapur P.S. Case No. 157 of 2018, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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